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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/729,907

Attorney Docket: DP-304486

Filing Date: 12/04/2000

Group Art Unit: 1764

Applicant: Michael Ralph Foster et al.

Examiner: Tran, Hien Thi

Title: CATALYTIC CONVERTER

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PROVISIONAL ELECTION

Sir:

This is in response to the Office Action mailed March 17, 2004, imposing a Restriction Requirement between:

Group I, claims 1-21, directed to a catalytic converter; and

Group II, claims 22-31, directed to a method of manufacturing a catalytic converter.

In response to the Restriction Requirement, Applicant provisionally elects to prosecute Group I, claims 1-21. Nevertheless, Applicants respectfully traverse the requirement.

The Group I claims call for catalytic converter that includes a mat support material disposed about a substrate between the first lip and the structural feature. Group II claims are drawn to a method of manufacturing that forms a structural feature about an outer surface of a catalyst substrate and disposes a mat support material between the structural feature and a first

lip of the substrate. Even a casual read of these claims reveals that they are merely different aspects of but a single invention. Moreover, prior art showing a mat material disposed about a catalyst substrate between a first lip and a structural feature, or the method of disposing the mat material there, would be material to, and should properly be considered in examining all Groups, regardless of where such art is found within the classification scheme of the Patent Office.

Efficiency, both on the part of Applicants, and also on the part of the Patent Office, mandates that, where the claims have common distinctive features such as here, all claims should be examined together. Thus, claims to both the catalytic converter, and its method of manufacture, should properly be examined in the present application. The Restriction Requirement unduly burdens Applicants by requiring them to file and prosecute multiple applications, and pay fees and maintain multiple patents, to obtain the patent protection to which they are entitled.

Therefore, it is respectfully requested that the Restriction Requirement be withdrawn, and that all claims of Group I and Group II be considered in the present application.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,



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